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EXAMINER

LE, KHANH H

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/327,107

Applicant(s)

LANG, BROOK

Examiner

Khanh H. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3-4, 7, 13, 14, 16, 17, 19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, 7, 13, 14, 16, 17 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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### **Response to CPA /Amendment**

1. This Office Action is responsive to the CPA request and Amendment mailed 9/25/02 (papers 11 and 12) .  
Claim 5 has been cancelled as requested.  
Claims 1, 3, 4, 16 have been amended .  
Claims 1, 3-4, 7, 13, 14, 16, 17, 19 remain pending and herein examined.  
Clean Version of claims is missing. Applicants are requested to furnish same in response to this Office Action.

The request filed on 9/25/02 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09327107 is acceptable and a CPA has been established. An action on the CPA follows.

### **Examiner's Note**

2. Examiner has pointed out particular references contained in the prior art of record in the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claims, other passages and figures may apply as well. It is requested from the Applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed inventions, as well as the context of the passages as taught by the prior art or disclosed by the Examiner.

### **Claim Rejections - 35 USC § 112(2)**

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- Previous rejection of claim 1 as to steps d and e is withdrawn .
- Previous rejection of claim 4 (lack of antecedent basis) is withdrawn .

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- Previous rejection of claim 16(lack of antecedent basis) is withdrawn .

**4. New Claim Rejections - 35 USC § 112(2).**

Claim 7. lack of antecedent basis: new amended Step c) does not determine network connection activities. It is assumed that Applicant means step d) and “network connection activity information” . Appropriate correction is required.

Claim 14. lack of antecedent basis: new amended Step c) does not determine network connection activities nor network identity. It is assumed that Applicant means step d) . Appropriate corrected terminology is required.

**Response to Arguments**

5. Applicants’ arguments are moot as new prior art is applied.

**Claim Rejections. 35 USC 102**

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. **Claims 1, 3, 4, 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Delorme et al , US 5948040, hereinafter Delorme.**

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Delorme discloses customized travel information including commercial information (interpreted as including ads) to GPS wireless user via Internet and other networks .

**Thus Delorme discloses steps a-g of claim 1.**

( Monitored user activities in Delorme include monitored requests for information and/or user websites activities (see claim 7). Creating user files is impliedly first done at initial registration, selecting advertisements is selecting appropriate "special offers" based on User ID, location, preferences (see excerpts) )

Claim 1. (Amended) A method of marketing to a user of an electronic device connected via a wireless connection to a computer wide area network, comprising the following steps:

a. selecting an electronic device connected to said computer wide area network;

b. selecting a server connected to said computer wide area network;  
... "in order to accomplish these results, the present invention provides TRIPS for use with a digital computer device, a digital computer display, if desired, and a computer link. **The computer link may be through the Internet or directly to a TRIPS online facility.**

c. determining the physical location of said electronic device when connected to said computer wide area network;

*FIG. 9 illustrates an important alternative or additional embodiment of TRIPS--that permits mobile users 901, at remote locations (for example, en route in vehicles or on foot), two-way access by wireless communications 903 to engage the novel travel reservation information planning system of one or more TRIPS 904 communications facilities or service bureaus. FIG. 9 includes a wireless communication unit or WCU 907, typically hand-held 906 or mounted or used in a vehicle 905 like an automobile. The WCU 907 preferably includes a position sensor unit, e.g., GPS sensor 908, which provides data on the user's location, speed and travel direction and the current time--for example, by signals 909 from one or more global positioning satellites 910. The portable or mobile WCU 907 also preferably includes various simplified user INPUT means 914, 916, 918 and 920 designed for easy use while actually traveling or en route e.g. in a vehicle 905 or walking about 906; similarly simplified user*

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*OUTPUT means are shown at 925, 927, 929 and 931. TRIPS WCUs 907 facilitate two way communications at 903 of standard TRIPS data packets 939 with at least one TRIPS travel information and service provider 904. In sum, FIG. 9 outlines embodiments of the TRIPS invention enabling users to get travel information and/or make travel arrangements "on the go", walking in a city, from their vehicle, during an off-road expedition and so forth.*

d. determining the network identity information and the network connection activity information of said electronic device when connected to said computer wide area network;

e. creating a user file containing said network identity information of said electronic device, physical location information of said electronic device, and said network connection [activities] activity information of said electronic device when connected to said computer wide area network; ( creation of such user file is implied in Delorme in order to be able to use the 3 data, ID, location and activity to return customized information)

***ID:** or purposes of such two-way transmissions, the "I.D." portion of the standard TRIPS data packet 939 includes a "device I.D." or a "sender-type" identification code which, for example, enables the TRIPS provider system 904 to recognize when it has just received an inquiry from a remote TRIPS WCU at 906. The ACCOUNTING DATA portion of TRIPS data packet 939 from the remote WCU 906 also contains data on the identity and wireless "return address" of the remote TRIPS user.*

*t 904 in FIG. 9, a TRIPS signal or transmission that is identified as coming from a remote TRIPS compatible WCU 907 gets further processed at the TRIPS service bureau 904 by prescribed or largely automated sequences of characteristic TRIPS steps or operations specially designed to deal with such remote queries. Preferably, the first chore for such automated processing is to validate individual user ACCOUNTING DATA routinely included with such transmissions. By so identifying the individual remote user whose WCU 907 is sending a given transmission, the TRIPS service provider 904 can access the individual user account, user profile and "pre-filed" travel plan output (if any). These preliminary operations in the Accounting Subsystem determine that the TRIPS user is registered, initiate billing and other TRIPS transaction tracking procedures, and make available stored information about the user's identity, preferences and specific travel plan if one was submitted in advance. In handling input from a remote user, preferably, the second task performed more or less automatically at 904 is to determine the topic of interest of the remote user input (e.g., the reservations, emergencies, goods/services, or directions). In effect, the TRIPS Topical Subsystem is programmed to recognize whether a remote user has pushed the RESCUE 916, ROUTING 918, or the RESERVATIONS 920 "button" and/or some equivalent simplified and dedicated input*

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*means on his/her WCU 907; the recognition of the topic, purpose or substance of a remote TRIPS user's inquiry triggers appropriate processing and response on the part of the TRIPS provider 904. Thirdly, data packets 939 received from remote WCUs 906 preferably get parsed for GEOGRAPHIC DATA by the TRIPS service provider at 904; more specifically, the Geographic Subsystem is programmed to retrieve the remote TRIPS user's "real time" geographic location, speed and travel direction as detected and/or computed by the GPS attachment 908 on the remote WCU 907. Such information on a remote user's current position, course and rate of travel facilitates intelligent processing and responsive output at 904--for example: treating the present or predicted position of the remote user as the departure point or START for routing calculations and travel directions; similarly, treating the remote user's reported location as destination for emergency services; searching for proximate restaurants, lodgings, or other POIs from a combination of a remote user's present location and direction of travel or compass course; in a similar fashion, computing the remote user's distance from and/or estimated arrival time at places or probable destinations "ahead," i.e., along the remote timer's predicted route or travel direction; and so forth. Computing estimated arrival times and searches for timely EOIs are further enabled by the fourth preferably automated step or operation executed at 904 whereby the TRIPS Temporal Subsystem is programmed to capture the time/date of the remote user's inquiry or transmission which is kept by the GPS 908 and/or the digital clock with the CPU 912 of the remote user's WCU 907.*

f. selecting advertising material to be sent to said electronic device using said network identity information, said physical location information and said network activity information in said user file; and

g. transmitting said advertising material to said electronic device over said computer wide area network using said network identity information in said user file. (this latter is implied in Delorme)(*Re. marketing and ads, Delorme discloses ...*) *get information on transportation, lodgings and other accommodations available at the destinations and/or at specified dates/times; 8) make the reservations associated with the travel, the accommodations, and the activities available, plus take advantage of diverse, special offers for goods/services from participating third-party providers; 9) ... TRIPS further provides for previews of temporal, i.e., scheduled events of interest (EOIs)--as well as transactionable goods/services coupons or offers--found in the user-defined geographic area of interest.*

Re targeted information (interpreted as including ads) , Delorme discloses: *It is therefore an object of the present invention to provide a new Travel Reservation and Information System (TRIPS) that permits a user to custom-define and examine a travel route and/or plans based upon answers to the questions noted above. ... "For the second problem, a "customizable" map or other travel plan output to which the user can attach selected travel information from such previews would be particularly useful..."*

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Re access to many database sites, Delorme discloses: ... *"in the preferred example, the TRIPS software is composed of a reservation-information-and-planning system linked to one or more travel service provider. The TRIPS user can be provided with communications links for online communication and transfer of reservation data, ticketing data, spatially related data, and software tools for map reading between computers and between users. For example a TRIPS user may communicate with another TRIPS system or user **for transfer of user location data and any other spatially related data.** In addition to a travel service providing reservation and*

*ticketing data, **the TRIPS user can also communicate with external databases, a central communications service bureau, and on-line mapping services for latest information relating to loc/objects, routes, and map modifications, priority messages, etc.***

*For purposes of such immediate travel plan inquiries, responses and transactions from remote locations, the TRIPS user 906 is **preferably already registered**, or set up with a TRIPS account; remote TRIPS users' WCUs 907 must be compatible and in electronic communication with one or more TRIPS providers or bureaus 904 which handle topical, geographic, temporal and/or accounting or transactional travel information processing--as disclosed heretofore, particularly relative to FIGS. 2 and 4.*

*On the road or from other remote places, the TRIPS users at 901 transmit and receive characteristically structured TRIPS data packets 939--that typically concern their immediate needs for travel information or arrangements e.g.: reservations and/or entitlement to a discount **for the next meal at a roadside eating place or lodgings for the night ahead; current information about goods/services available nearby and/or up ahead along the user's intended or predicted route of travel; emergency services requests, such as vehicle repair or towing, ambulance, police or fire; related travel directions; and so forth. The TRIPS service bureau or provider 904 in FIG. 9 receives the simplified input or remote queries, which get processed by series or sequences of TRIPS geographic, temporal, topical and accounting operations--as generally delineated heretofore with particular reference to FIG. 4.***

Claim 3. (Amended) Delorme discloses: A method of marketing, as recited in Claim 1:, wherein the step [(b)] (c) of determining the physical location of said electronic device is accomplished using a global positioning satellite system which provides global coordinate information of said electronic device when connected to said wide area network. is disclosed by



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Delorme. *(The WCU 907 preferably includes a position sensor unit, e.g., GPS sensor 908, which provides data on the user's location, speed and travel direction and the current time-..)*

Claim 4. (Amended) A method of marketing, as recited in Claim 1, wherein said step (c) of determining the physical location of said electronic device is accomplished by a wireless modem connected to said electronic device and a wireless telephone network capable of determining the physical location of a wireless modem when connected thereto.

Delorme discloses

*TRIPS can also work with alternative end-user hardware platforms; e.g., networked work stations; "kiosk" information terminals linked to a central server; portable laptop, notebook, **in-vehicle, or handheld personal digital assistant (PDA) portable computer devices typically equipped with a wireless communications and/or user location**, e.g., **Global Positioning System (GPS) capabilities**. TRIPS can also be provided via "smart Cable TV" interfaces that combine simplified PC functionality, input/output with a mass-market "home" television appliance. Moreover, TRIPS may be implemented on a relatively low-tech PC functioning primarily or solely as an Internet or online travel reservation information and planning system terminal in the user's home or place of work, or even in the user's vehicle or handheld at a remote field location .*

*"..According to the process, further steps include linking the digital computer with the database via a modem for remote accessibility...."*

Claim 13. Delorme impliedly discloses: A method of advertising as recited in Claim 1 wherein step (c) is carried out using information transmitted by said electronic device when connected to said computer wide area network. (impliedly from user queries) .

Claim 14. Delorme discloses " A method of marketing, as recited in Claim 1, wherein said step (c) is carried out by a cellular telephone system capable of determining the physical location of a cellular telephone used to connect to said wide area network. (*"smart cell phones*

*... FIG. 9 includes a wireless communication unit or WCU 907, typically hand-held 906 or mounted or used in a vehicle 905 like an automobile. The WCU 907 preferably includes a position sensor unit, e.g., GPS sensor 908, which provides data on the user's location, speed and travel direction and the current time--for example, by*

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*signals 909 from one or more global positioning satellites 910*

*"...Various portable devices can perform the functions of the WCU 907--e.g. a notebook or laptop personal computer, a personal digital assistant or PDA, a "smart" cellular phone, two-way pager, an "accessorized" GPS sensor, as well as a dedicated or specially manufactured appliance, and so forth--provided that the device includes appropriate embedded and/or attached elements, as described immediately hereinafter. )*

### **Claim Rejections - 35 USC § 103**

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**9. Claims 7, 16-17,19 are rejected under 35 U.S.C. 103 as being unpatentable over Delorme.**

Claim 7. A method of marketing, as reciting in Claim 1, wherein the step (c) of determining the network connection activities of said electronic device is carried out by determining the existence of "cookies" on said electronic device.

Delorme does not disclose the step of determining the network connection activities of said electronic device is carried out by determining the existence of "cookies" on said electronic device. However, Delorme discloses wireless electronic devices capable of Internet connections and access to websites to retrieve information

*"....Alternatively, all TRIPS functions, data and services can be provided entirely online (i.e. without significant stand-alone software components)--for example, from a central TRIPS service bureau, or by means of a **TRIPS Internet World Wide Web Site**. Such purely online TRIPS embodiments can be implemented utilizing recent advances in distributed applications, "agents" or online "applets" developed in Java, or equivalent computer languages--plus other state-of-the-art software enhancements for online or Internet usage...."*

Applicants have admitted that targeting of ads based on user activities using cookies when connected to the Internet is old. ("As admitted by the Applicant, and as shown in Roth, it is widely known to transmit ads to visitors to a website. Examples of such ads are the annoying

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*"pop up" ads" commonly seen today. The type of ads presented to the user are determined by the presence of "cookies" placed on the user's computer when he or she initially visits the website. ....", Applicants' Amendment p. 8, first full para.)*

Thus one skilled in the arts would have known to combine the known method of targeting by cookies to Delorme's information targeting teachings to take advantage of the well-known convenience of cookies and further improve Delorme's methods.

16. A method of marketing, as recited in Claim 1, wherein said step (d) of determining said network identity of said electronic device is accomplished by determining the numerical network address assigned to said electronic device.

17. A method of marketing, as recited in Claim 1, wherein said step (c) of determining the network identity and said network connection activities from said electronic device is accomplished using client software loaded into said electronic device to transmit said information to said server.

Official Notice had earlier been taken that the steps of identifying electronic devices when connecting to the Internet by determining the numerical address assigned to said electronic device by said server (claim 16) or by using client software (such as AOL) to transmit identification information (claim 17) are old. (these Officially Noted facts were presented in last Office Actions and not challenged, therefore taken as admitted.) MPEP 2144.03.

Thus one skilled in the arts at invention time, would have known to use such known techniques to ID a user/device as another way of ID in addition to others specifically mentioned by Delorme for more efficient identification as the particular systems require.

Claim 19. Delorme discloses:

A method of marketing, as recited in Claim 1, wherein in step (d) said server collects personal data of said user (interpreted as any data relating to the user's person) of said electronic device and adds it to said user file.

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*... "In other words, as maintained and implemented at 814 in FIG. 8A, the current algorithm or formulation for DIFFERENTIAL ACCESS/OUTPUT or FREE versus VALUABLE OUTPUTS is determined by the TRIPS web site proprietor or operator, varying from virtual site to site and from time to time on a given TRIPS Internet site. One particular item of travel information might be FREE OUTPUT for some users, as part of a special introductory offer for example. This same travel information item may be VALUABLE OUTPUT on different TRIPS sites, or for another class of users, and/or after a certain period of time. Certain TRIPS Internet sites will offer more FREE OUTPUT to attract traffic and maximize their advertising audience. TRIPS online services reserved for enrolled organization members will likely emphasize the benefits of all the VALUABLE OUTPUT made available to their registered users. Publicly or cooperatively supported online TRIPS tourist information bureaus essentially provide FREE information or OUTPUT to promote their area **but may require or encourage users to provide name, address, telephone number, etc.—for follow-up research, to produce "mailing" lists of prospective tourists, and so forth...**"*

*With digital clock data plus state-of-the art associated circuitry and programs, GPS sensor 908 and equivalent position sensing devices also compute and output current travel direction, speed and the precise time on a real time basis, i.e., updated at short time intervals, e.g., 10 seconds to 2 minutes. This standard GPS sensor 908 output is monitored by the processor and memory capabilities 912 within the WCU 907. **Remote TRIPS user's WCUs 907 are programmed to transmit current user position (e.g., latitude and longitude), travel direction (e.g., compass direction or vector description), speed (e.g., miles, kilometers per hour), plus current date/time(e.g. Jan. 1, 1997, 0630.012457 hours) via 903 communication channels to one or more TRIPS providers 904. Such information on the remote TRIPS user's location, rate and direction of travel and current time are thus sent initially along with the first transmission of any remote TRIPS user query and preferably updated frequently thereafter.***

It is further known that any data needs to be updated so it would have been obvious to one skilled in the arts to have the personal data of the user updated at the server level to maintain current relevant user information for efficient targeting as taught by Delorme.

Also see excerpt re. user preferences; since the computer system uses this data in addition to the others to send the information/ads , it in effect adds it to the user file).

### Conclusion

10. Prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

#### Ads targeting:

Roth , WO 98/34189, (august 1998) discloses Internet advertising bidding system whereby the viewers characteristics, are transmitted and targeted ads are delivered . This reference can be used to reject claims 5-7, 13-19.

Angles et al, US 5933811, discloses delivery of customized ads through Internet

Blinn et al., US 5999914, discloses Internet e-promotions by monitoring user activities (user e-shops triggering certain promotions and awards) , suggests systems will work with wireless systems and PDA's .

#### Wireless devices

Griffith, US 5812953, discloses cell phone ID tracking through the MTSO network (cols. 1 and 2)

Malackowski et al, US 5752186 (5/98) discloses wireless ID of user by access code

Park WO 96/04633, discloses targeted advertising to GPS tracking vehicle

Park WO 97/17774,, discloses selective advertising to GPS tracked vehicle

Mannings et al , WO 96/07110, (also US 6169515) discloses GPS (Fig 1 item 7) based mobile navigation cellular phone system based on user requests for navigation information including commercial places, etc..., continuous tracking of location and providing of information ; ID location; user activity :user requests info, user input destination.

Obradovich et al, US 6133853 teaches a personal communication device with GPS determined user location and supply of information including ads (col 3 l. 25-44) on user requests., network ID, physical location

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Tracy et al, 5979757, discloses wireless shopping device based on consumer activities. This ref. could be used to reject most claims.

Pepe et al, US 5673322, discloses connection of wireless devices to Internet

Hidary, US 5852775 discloses cellular phone advertising system w/ MTSO, cell ID, subscriber profiles, targeted messages

\*Smith, US 5717374, discloses method for sending ads to vehicles while coupled to gas filling stations

\* submitted by the Applicants as prior art

Bouve et al , US Pat 5682525 teaches a method for obtaining information on a mobile computing environment with the step of providing a list of merchants proximal to the mobile computing environment using GPS receiver. Ads are also provided.

Heron , US 6055478, teaches an integrated vehicle GPS based navigation, communication and entertainment system with Internet access.

Behr et al, US 5543789, discloses remote navigation system with queries and responses

Titmuss et al, WO 98/47295 , discloses a method for guiding a shopper on a mobile computing environment

Titmuss et al, WO 97/37500 , discloses a method for sending a format-compatible signal to an electronic device nearest the user upon tracking the user. (GPS cell phone, p. 8 l. 26-30; , network ID (p. 20 l. 33, p. 21 l. 1-2) at any time is tracked and stored , physical location) p. 8 l. 31-37) .

A.E. Fano, Proceedings of the International Conference on Autonomous Agents, ACMAs for Shopper' s Eye: using location-based filtering for a shopping agent in the physical world, by claim 15, "interfa, NY, NY, USA p. 416-421, conference date 05/09-13/1998. This article could be used in view of Hidary to reject some claims.

All other previously cited references.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh H. Le whose telephone number is 703-305-0571. The Examiner works a part-time schedule and can best be reached on Tuesday-Wednesday 9:00-6:00. The examiner can also be reached at the e-mail address: [khanh.le2@uspto.gov](mailto:khanh.le2@uspto.gov). ( However, Applicants are cautioned that confidentiality of email communications cannot be assured.)

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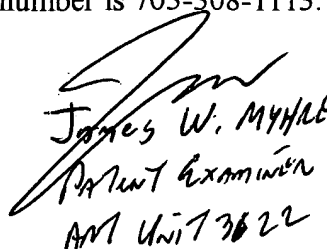
If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Eric Stamber can be reached on 703-305-8469. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

December 30, 2002

KHL

KHL

  
James W. Myhall  
Patent Examiner  
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